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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/826,052 | 04/03/2001 | Joseph E. McIsaac | 57673-015 (QUAL-110) | 2356 |

7590        05/31/2005

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| EXAMINER |
|---|
| GREENE, DANIEL L |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3621 | |

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| Office Action Summary | Application No. | Applicant(s) |
|---|---|---|
| | 09/826,052 | MCISAAC ET AL. |
| | Examiner | Art Unit |
| | Daniel L. Greene | 3621 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _14 April 2005_.

2a)☒ This action is **FINAL**.      2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-27_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

1.    Applicant's arguments filed 7/8/2004 have been fully considered but they are not

persuasive. The Applicant argues that the primary reference Mital does not disclose

element © of the independent claim 1, namely "a security server system including a

computer processor..." The Applicant further states, "...Mital performs data encryption

at a consumer computer being used by the buyer and not at a security server system."

In the Office Action dated 1/6/2004 the Examiner stated, "Since the applicant has

not disclosed that separating transaction functions onto different servers solves any

stated problem in a new or unexpected way or is for any particular purpose which is

unobvious to one of ordinary skill and it appears that the claimed feature does not

distinguish the invention over similar features in the prior art since, the teachings of

Mital will perform the invention as claimed by the applicant with any means, method, or

product to provide anonymous transactions over the Internet." Pg. 4, 1st Para.

The Applicant did not provide in their 7/8/2004 why separating transaction

functions onto different servers solves any stated problem in a new or unexpected way

or is for any particular purpose which is unobvious to one of ordinary skill. Claim 1, as

written, does not differentiate that the security server is in fact separate and distinct from

the buyer's system. It is written as, " a security system including a computer processor

and associated memory and an encryption system..." Mital teaches about a security

system including a computer processor and associated memory and an encryption

system i.e. Fig. 3, Col. 11, lines 10-67. Mital further discloses that the purchase

functions are modular i.e. CONSUMER APPLICATION MODULE, ORDER MANAGER

MODULE, and the SECURED TECHNOLOGY MOUDLE. Fig. 3, Col. 11, lines 10-67.

As stated in the previous action, Mital discloses the claimed invention, as discussed

above, except for the step of delineating the respective servers i.e. third server system.

It would have been an obvious matter of design choice to modify the teachings of Mital,

to provide the step of a third server system because he does show and describe as per

Figure 1, four separate servers. Mital further discloses that the modules performing the

different transaction functions can be resident on the different parties computers or

stand-alone. Since the applicant has not disclosed that separating transaction functions

onto different servers solves any stated problem in a new or unexpected way or is for

any particular purpose which is unobvious to one of ordinary skill and it appears that the

claimed feature does not distinguish the invention over similar features in the prior art

since, the teachings of Mital will perform the invention as claimed by the applicant with

any means, method, or product to provide anonymous transactions over the Internet.

Claims 1-27 are pending in the Application.

### *Claim Rejections - 35 USC § 103*

1.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.      **Claims 1-5, 12-13, 15-19, and 26-27 rejected under 35 U.S.C. 103(a) as being**

**unpatentable over Mital U.S. Patent 5,903,652 [Mital].**

As per claims 1 and 15:

Mital discloses:

a merchant server system including a computer processor and associated

memory, said merchant server system offering items for sale;  Fig. 5, **108**, (Merchant

Module) Col. 14, lines 20-30.

a buyer system including a computer processor and associated memory, said

buyer system being selectively coup able to said merchant server system over said

communication network to initiate a transaction, wherein, during said transaction, said

buyer system selects one or more of said items for purchase; Fig. 3, **100,** Col. 11-12,

lines 1-67.

a security server system including a computer processor and associated memory

and an encryption device, said security server system receiving buyer information from

said buyer system, encrypting said buyer information in an encryption key that prevents

said merchant server system from decrypting said buyer information, and transferring

said encrypted buyer information to said merchant server system;  Fig. 3, **304,**

(Security Technology Module) Col. 12, lines 20-50.

a third server system including a computer processor and associated memory,

said third server system being selectively coup able to said merchant server system,

wherein said merchant server system transmits at least a portion of said encrypted

buyer information to said third server system for processing during said transaction. Fig.

1, **112,** (Credit Company/Acquirer Computer) Col. 23, lines 20-67.

Mital discloses the claimed invention, as discussed above, except for the step of

delineating the respective servers i.e. third server system. It would have been an

obvious matter of design choice to modify the teachings of Mital, to provide the step of a

third server system because he does show and describe as per Figure 1, four separate

servers. Mital further discloses that the modules performing the different transaction

functions can be resident on the different parties computers or stand-alone. Since the

applicant has not disclosed that separating transaction functions onto different servers

solves any stated problem in a new or unexpected way or is for any particular purpose

which is unobvious to one of ordinary skill and it appears that the claimed feature does

not distinguish the invention over similar features in the prior art since, the teachings of

Mital will perform the invention as claimed by the applicant with any means, method, or

product to provide anonymous transactions over the Internet.


As per claims 2 and 16:

Mital discloses the claimed invention, as discussed above, except for the step of

wherein said third server system is one of a delivery server system and a payment

processor server system. It would have been an obvious matter of design choice to

modify the teachings of Mital, to provide the step of wherein said third server system is

one of a delivery server system and a payment processor server system. Mital discloses

about servers being used to provide shipping and payment processing functions.

Assigning different locations within a transaction system of the various functions does

not change the finale outcome/completion of a transaction. Mital meets the security

criteria's set forth by the Applicant during the transactions. Since the applicant has not

disclosed that wherein said third server system is one of a delivery server system and a

payment processor server system solves any stated problem in a new or unexpected

way or is for any particular purpose which is unobvious to one of ordinary skill and it

appears that the claimed feature does not distinguish the invention over similar features

in the prior art since, the teachings of Mital will perform the invention as claimed by the

applicant with any means, method, or product to have the said third server system being

one of a delivery server system and a payment processor server system.


As per claims 3 and 17:

Mital further discloses:

wherein said encrypted buyer information received by said delivery server

system is delivery address information of said buyer. Col. 16, lines 30-67.


As per claims 4 and 18:

Mital further discloses:

wherein said encrypted buyer information received by said payment processor

server system is payment information of said buyer. Col. 26, lines 8-60.

As per claims 5 and 19:

Mital further discloses:

a fourth server system including a computer processor and associated memory, said fourth server system being selectively coup able to one of said merchant server system and said third server system, wherein said one of said merchant server system and said third server system transmits at least a portion of said encrypted buyer information to said fourth server system for processing during said transaction. Fig. 1-3.

As per claim 12:

Mital discloses:

a merchant server system including a computer processor and associated memory, said merchant server system offering items for sale; Col. 14, lines 20-30.

a buyer system including a computer processor and associated memory, said buyer system being selectively coup able to said merchant server system over said communication network to initiate a transaction, wherein, during said transaction, said buyer system selects one or more of said items for purchase; Col. 11-12, lines 1-67.

a security server system including a computer processor and associated memory, said security server system being selectively coup able to said buyer system to receive buyer information from said buyer system in the course of said transaction, said buyer information including delivery address information and payment information; Col. 13, lines 20-50.

a delivery server system including a computer processor and associated

memory; Col. 16, lines 30-67.

a payment processor server system including a computer processor and

associated memory; Col. 26, lines 8-60.

Mital discloses the claimed invention, as discussed above, except for the step of

delineating the respective servers i.e. wherein said security server transmits said

delivery address information to said delivery server system and said payment

information to said payment processor server system.

It would have been an obvious matter of design choice to modify the teachings of

Mital, to provide the step of wherein said security server transmits said delivery address

information to said delivery server system and said payment information to said

payment processor server system because he does show and describe as per Figure 1,

four separate servers. Mital further discloses that the modules performing the different

transaction functions can be resident on the different parties computers or stand-alone.

Since the applicant has not disclosed that separating transaction functions onto different

servers solves any stated problem in a new or unexpected way or is for any particular

purpose which is unobvious to one of ordinary skill and it appears that the claimed

feature does not distinguish the invention over similar features in the prior art since, the

teachings of Mital will perform the invention as claimed by the applicant with any means,

method, or product to provide anonymous transactions over the Internet.

As per claim 13:

Mital further discloses:

wherein said security server system encrypts said delivery address information

into a first document and encrypts said payment information into a second document.

Fig. 6 A-B.

As per claim 26:

Mital discloses:

a merchant server system including a computer processor and associated

memory, said merchant server system offering items for sale; Col. 14, lines 20-30.

a buyer system including a computer processor and associated memory, said

buyer system being selectively coup able to said merchant server system over said

communication network to initiate a transaction, wherein, during said transaction, said

buyer system selects one or more of said items for purchase; Col. 11-12, lines 1-67

a security server system including a computer processor and associated memory

and an encryption device, said security server system receiving buyer information from

said buyer system and forming a merchant document including information regarding

the item being purchased, encrypting said buyer information into a payment document

including the buyer's payment information and encrypting said buyer information into an

address document including the buyer's shipping address; Fig 6 A.

said security server system transferring said buyer information to a first one of

said merchant server system, a payment server system and a delivery server system,

wherein said first system removes the document associated with the first system and

transmits the remaining documents to a second one of said merchant server system,

said payment server system and said delivery server system, wherein said second

system removes the document associated with the second system and transmits the

remaining document to a third one of said merchant server system, said payment server

system and said delivery server system; Col. 13-14.

wherein said security server system encrypts said buyer information using an

encryption key in which only said payment server system is capable of decrypting said

payment document and only said delivery server system is capable of decrypting said

address document. Col. 14-15.

Mital discloses the claimed invention, as discussed above, except for the step of

delineating the respective servers i.e. security server system. It would have been an

obvious matter of design choice to modify the teachings of Mital, to provide the step of a

security server system because he does show and describe as per Figure 1, four

separate servers. Mital further discloses that the modules performing the different

transaction functions can be resident on the different parties computers or stand-alone.

Since the applicant has not disclosed that separating transaction functions onto different

servers solves any stated problem in a new or unexpected way or is for any particular

purpose which is unobvious to one of ordinary skill and it appears that the claimed

feature does not distinguish the invention over similar features in the prior art since, the

teachings of Mital will perform the invention as claimed by the applicant with any means,

method, or product to provide anonymous transactions over the Internet.

As per claim 27:

Mital discloses:

A. establishing a connection between a buyer system and a merchant server system over said communications network to initiate a purchase transaction; Fig. 1, **100, 108.**

B. said buyer system selecting an item offered for sale by said merchant server system; Fig. 3.

C. said buyer system transmitting buyer information to a security server system; Fig. 3.

D. said security server system encrypting said buyer information using an encryption key that prevents said merchant server system from decrypting said encrypted buyer information; Fig. 4.

E. said security server system transmitting said encrypted buyer information to said merchant server system; Fig. 5.

F. said merchant server system transmitting at least a portion of said encrypted buyer information to a third server system for processing during said purchase transaction; Fig. 5.

G. said third server system decrypting said at least a portion of said encrypted buyer information before processing said information. Fig. 5.

Mital discloses the claimed invention, as discussed above, except for the step of delineating the respective servers i.e. third server system. It would have been an obvious matter of design choice to modify the teachings of Mital, to provide the step of a

third server system because he does show and describe as per Figure 1, four separate

servers. Mital further discloses that the modules performing the different transaction

functions can be resident on the different parties computers or stand-alone. Since the

applicant has not disclosed that separating transaction functions onto different servers

solves any stated problem in a new or unexpected way or is for any particular purpose

which is unobvious to one of ordinary skill and it appears that the claimed feature does

not distinguish the invention over similar features in the prior art since, the teachings of

Mital will perform the invention as claimed by the applicant with any means, method, or

product to provide anonymous transactions over the Internet.

**3.      Claims 6-11, 14, and 20-25 are rejected under 35 U.S.C. 103(a) as being**

**unpatentable over Mital, and further in view of Ohta et al. U.S. Patent 4,977,595**

**[Ohta]**

As per claims 6 and 20:

Mital discloses the claimed invention except for the wherein said security server

system encrypts said buyer information into a first document and a second document,

wherein said first document is transmitted to said third server system by said merchant

server system and said second document is transmitted to said fourth server system by

said merchant server system. However, Mital does disclose multi ORDER OBJECTS

that are encrypted and utilized throughout the transaction network. Fig. 6 A-B. Ohta teaches that it is known in the art to provide wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first document is transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said merchant server system. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system and apparatus for monitoring secure information in a computer network of Mital with the wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first document is transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said merchant server system of Ohta, in order to insure the security of the transaction and amplify on the teachings of Mital.

As per claims 7 and 21:

Mital discloses the claimed invention except for the wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first and second documents are transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said third server system. However, Mital does disclose multi ORDER

OBJECTS that are encrypted and utilized throughout the transaction network. Fig. 6 A-

B. Ohta teaches that it is known in the art to provide wherein said security server

system encrypts said buyer information into a first document and a second document,

wherein said first and second documents are transmitted to said third server system by

said merchant server system and said second document is transmitted to said fourth

server system by said third server system. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to provide the system and apparatus for monitoring secure

information in a computer network of Mital with the wherein said security server system

encrypts said buyer information into a first document and a second document, wherein

said first and second documents are transmitted to said third server system by said

merchant server system and said second document is transmitted to said fourth server

system by said third server system of Ohta, in order to insure the security of the

transaction and amplify on the teachings of Mital.

As per claims 8, 22 and 24:

Mital further discloses:

wherein said third server system is one of a delivery server system and a

payment processor server system and wherein said fourth server system is the other of

said delivery server system and said payment processor server system, and wherein

said first document contains one of the buyer system's delivery address information and

the buyer system's payment information and the second document contains the other of

said buyer system's delivery address information and said buyer system's payment information. Fig. 6A-B, Fig. 4.

As per claims 9 and 25:

Mital further discloses:

wherein said security server system encrypts said first document using a first encryption key and said second document using a second encryption key, wherein said one of said third server system and said fourth server system that receives said first document can decrypt said first document but not said second document and wherein said other one of said third server system and said fourth server system that receives said second document can decrypt said second document but not said first document. Col. 15-18, lines 1-67.

As per claims 10 and 23:

Mital further discloses:

wherein said third server system is one of a delivery server system and a payment processor server system and wherein said fourth server system is the other of said delivery server system and said payment processor server system, and wherein said first document contains one of the buyer system's delivery address information and the buyer system's payment information and the second document contains the other of said buyer system's delivery address information and said buyer system's payment information. Col. 15-18, lines 1-67.

As per claim 11:

Mital further discloses:

wherein said security server system encrypts said first document using a first

encryption key and said second document using a second encryption key, wherein said

one of said third server system and said fourth server system that receives said first

document and second documents from said merchant server system can decrypt said

first document but not said second document and wherein said other one of said third

server system and said fourth server system that receives said second document can

decrypt said second document but not said first document. Col. 15-18, lines 1-67.

As per claim 14:

Mital discloses the claimed invention except for the wherein said security server

system transmits said first and second documents to said merchant server system,

which transmits said first document to said delivery server system and said second

document to said payment processor server system; and wherein said merchant server

system is incapable of decrypting said first and second documents.

However, Mital does disclose multi ORDER OBJECTS that are encrypted and

utilized throughout the transaction network. Fig. 6 A-B. Ohta teaches that it is known in

the art to provide wherein said security server system transmits said first and second

documents to said merchant server system, which transmits said first document to said

delivery server system and said second document to said payment processor server

system; and wherein said merchant server system is incapable of decrypting said first and second documents. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system and apparatus for monitoring secure information in a computer network of Mital with the wherein said security server system transmits said first and second documents to said merchant server system, which transmits said first document to said delivery server system and said second document to said payment processor server system; and wherein said merchant server system is incapable of decrypting said first and second documents of Ohta, in order to insure the security of the transaction and amplify on the teachings of Mital.


Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### *Conclusion*

4.     **THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Daniel L. Greene whose telephone number is 571-272-

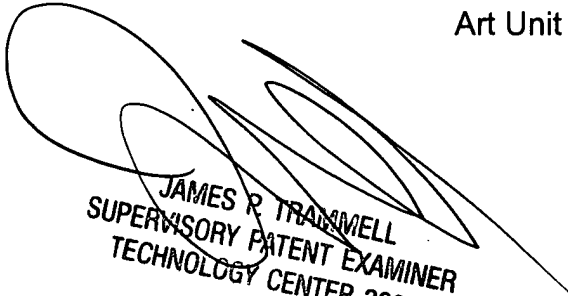6707.  The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James P. Trammell can be reached on 571-272-6712.  The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the
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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
Art Unit 3621

5/23/2005

JAMES R TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600